This is in response to the Office Action dated March 25, 2003. In response to the restriction requirement, applicants elect the claims of restriction Group I, claims 1, 2, and 4-10 directed to composition and method of use for further prosecution in this application.

In addition, the Examiner has requested an election of species. Specifically, the Examiner has requested that Applicants elect a specific formula I for cyclic depsipeptides wherein each R group is specifically defined, and the Examiner has requested that Applicants elect a specific formula X for piperazines wherein each R group is specifically defined. Applicants elect formula I for cyclic depsipeptides wherein

R^1, R^2, R^5, R^9, R^{11}, and R^{12} are CH_3;

R^3 and R^7 are CH_2-(C_6H_4)-N-morpholinyl; and

R^4, R^6, R^8, and R^{10} are $-CH_2-CH(CH_3)_2$.

Applicants elect piperazines of formula X wherein R^{13} and R^{14} are hydrogen.

In addition, the Examiner stated claims 1 and 3-10 are in the form of "use" claims, and the Examiner requested the claims be amended to the "method of using" format. The claims have been amended as requested (see pages 3-6).

CONCLUSION

Applicants respectfully request entry of the amendments. Should there be any further matter requiring consideration, Examiner Minnifield is invited to contact the undersigned counsel.

If there are any further fees due in connection with the filing of the present reply, please charge the fees to undersigned's Deposit Account No. 13-3372. If a fee is required for an extension of time not accounted for, such an extension is requested and the fee should also be charged to undersigned's deposit account.

Respectfully submitted,

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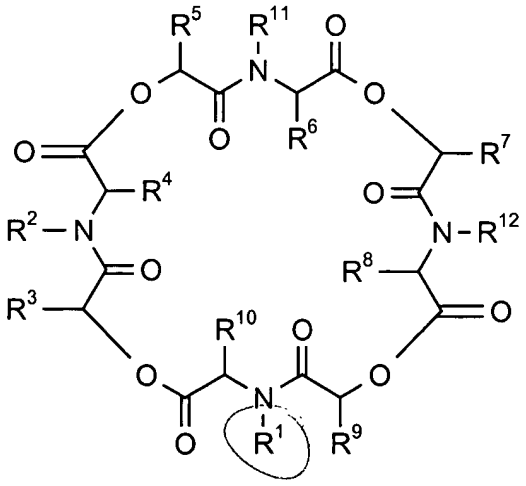
Claims for U.S. Patent Application Serial No. 10/009,930

1. (Currently amended) ~~The use of piperazines~~ A method for increasing the endoparasiticidal action of cyclic depsipeptides consisting of amino acids and hydroxycarboxylic acids as ring units and having 24 ring atoms, comprising contacting endoparasites with said cyclic depsipeptides in combination with piperazines.

2. (Original) An endoparasiticidal composition which contains piperazines together with cyclic depsipeptides consisting of amino acids and hydroxycarboxylic acids as ring units and having 24 ring atoms.

3. (Currently amended) A method for the production of endoparasiticidal compositions comprising the step of combining ~~The use of piperazines together with~~ cyclic depsipeptides consisting of amino acids and hydroxycarboxylic acids as ring units and having 24 ring atoms and piperazines ~~for the production of endoparasiticidal compositions~~.

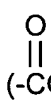
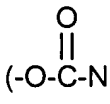
4. (Currently amended) The ~~use of piperazines as claimed in~~ method of claim 1, ~~characterized in that~~ wherein the cyclic depsipeptides correspond to the formula (I)



(I)

in which

R^1, R^2, R^{11} and R^{12} independently of one another represent C_{1-8}-alkyl, C_{1-8}-halogenoalkyl, C_{3-6}-cycloalkyl, aralkyl, aryl,

R^3, R^5, R^7, R^9 independently of one another represents hydrogen or straight-chain or branched C_{1-8}-alkyl, which can optionally be substituted by hydroxyl, C_{1-4}-alkoxy, carboxyl,  , carboxamide,  , imidazolyl, indolyl,

guanidino, -SH or C_{1-4}-alkylthio and further represents aryl or aralkyl which can be substituted by halogen, hydroxyl, C_{1-4}-alkyl, C_{1-4}-alkoxy,

R^4, R^6, R^8, R^{10} independently of one another represent hydrogen, straight-chain C_{1-5}-alkyl, C_{2-6}-alkenyl, C_{3-7}-cycloalkyl, each of which can optionally be substituted by hydroxyl, C_{1-4}-alkoxy, carboxyl, carboxamide, imidazolyl, indolyl, guanidino, SH or C_{1-4}-alkylthio, and represent aryl or aralkyl which can be substituted by halogen, hydroxyl, C_{1-4}-alkyl, C_{1-4}-alkoxy,

and their optical isomers and racemates.

5. (Currently amended) The ~~use as claimed in~~ method of claim 4, ~~characterized in that~~ wherein the cyclic depsipeptides correspond to the formula (I), in which

R^1, R^2, R^{11} and R^{12} independently of one another represent methyl, ethyl, propyl, isopropyl, n-, s-, t-butyl or phenyl, which is optionally substituted by halogen, C_{1-4}-alkyl, OH, C_{1-4}-alkoxy, and also represent benzyl or phenethyl, each of which can optionally be substituted by the radicals indicated in the case of phenyl, and

R^3 to R^{10} have the meaning indicated in claim 4.

6. (Currently amended) The ~~use as claimed in~~ method of claim 4, ~~characterized in that~~ wherein the cyclic depsipeptides correspond to the formula (I), in which

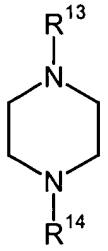
R^1, R^2, R^{11} and R^{12} independently of one another represent methyl, ethyl, propyl, isopropyl or n-, s-, t-butyl,

R^3, R^5, R^7, R^9 represent hydrogen, straight-chain or branched C_{1-8}-alkyl, in particular

methyl, ethyl, propyl, i-propyl, n-, s-, t-butyl, each of which can optionally be substituted by C_{1-4}-alkoxy, in particular methoxy, ethoxy, imidazolyl, indolyl or C_{1-4}-alkylthio, in particular methylthio, ethylthio, and further respresent phenyl, benzyl or phenethyl, each of which can optionally be substituted by halogen, in particular chlorine, and

R^4, R^6, R^8, R^{10} independently of one another represent hydrogen, methyl, ethyl, n-propyl, n-butyl, vinyl, cyclohexyl, each of which can optionally be substituted by methoxy, ethoxy, imidazolyl, indolyl, methylthio, ethylthio, and represent isopropyl, s-butyl and further represent optionally halogen-substituted phenyl, benzyl or phenylethyl.

7. (Currently amended) The method of any one of claims 1, 4, 5, or 6 wherein ~~use as claimed in claims 1 or 4 to 6, characterized in that~~ the piperazines correspond to the formula (X),



(X)

in which

R^{13} and R^{14} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted alkyl, cycloalkyl, aryl, heteroaryl, and $-CONR^{15}R^{16}$ or $-CSNR^{15}R^{16}$, in which

R^{15} and R^{16} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted alkyl or cycloalkyl.

8. (Currently amended) The method of any one of claims 1, 4, 5, or 6 wherein ~~use as claimed in claims 1 or 4 to 6, characterized in that~~ the piperazines correspond to the formula (X), in which

R^{13} and R^{14} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted C_1-C_6-alkyl, C_3-C_8-cycloalkyl, and $-CONR^{15}R^{16}$ or $-CSNR^{15}R^{16}$, in which

R^{15} and R^{16} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted C_1-C_6-alkyl or C_3-C_8-cycloalkyl.

9. (Currently amended) The method of any one of claims 1, 4, 5, or 6 wherein ~~use as claimed in claims 1 or 4 to 6, characterized in that~~ the piperazines correspond to the formula (X), in which

R^{13} and R^{14} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted C_1-C_4-alkyl, C_6-cycloalkyl, and -$CONR^{15}R^{16}$ or -$CSNR^{15}R^{16}$, in which

R^{15} and R^{16} independently of one another represent identical or different substituents of the group hydrogen, in each case optionally substituted C_1-C_4-alkyl or C_6-cycloalkyl.

10. (Currently amended) The composition as claimed in claim 2, ~~characterized in that~~ wherein the cyclic depsipeptides correspond to one of the definitions mentioned in any one of claims 4 to 6 and/or the piperazines correspond to one of the definitions mentioned in any one of claims 7 to 9.